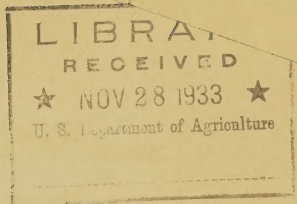


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CODE OF LABOR PROVISIONS
FOR THE
COTTONSEED CRUSHING INDUSTRY.

ARTICLE I

PURPOSE

To effectuate the policies of Title I of the National Industrial Recovery Act, the following provisions are submitted as a Code of Labor Provisions for the Cottonseed Crushing Industry, and upon approval by the President shall be binding upon every member thereof.

It is understood that this Code of Labor Provisions will be made part of a Code of Fair Competition for this industry if such code should be submitted and approved.

ARTICLE II

DEFINITIONS

"Cottonseed Crushing Industry" shall mean all individuals, firms, partnerships, societies, corporations, associations, receivers in bankruptcy, and others engaged in the processing and crushing of cottonseed and the production of products therefrom which are customarily produced in a cottonseed crushing mill.

"Employee" shall mean any one engaged in the industry in any capacity receiving compensation for his services, irrespective of the nature or method of payment of such compensation.

"Employer" shall mean any one by whom such employee is compensated or employed.

"President", "Act" and "Administrator" shall mean, respectively, the President of the United States, the National Industrial Recovery Act, and the Administrator of that Act.

"Labor Provisions" shall mean matters relating to the determination and administration of hours of labor, rates of wages, and other conditions of employment within this industry under the jurisdiction of the National Recovery Administration.

"Mill" or "Mills" shall mean such mill or mills as are used in processing and crushing cottonseed.

"Cottonseed" shall mean the seed of the cotton plant after passing through the ginning process.

"Season" shall mean the period of time beginning August 1 of any year and ending July 31 of the following year.

"Superintendent" shall mean an employee responsible for the mechanical operation of a mill.

"Outside Salesman" shall mean an employee who is engaged, not less than 60 per cent of his working hours, in attempting to make sales away from the premises of his employer.

"Outside Seed Buyer" shall mean an employee who is engaged, not less than 60 per cent of his working hours during the cotton ginning period, in attempting to buy cottonseed away from the premises of his employer.

"Watchman" shall mean an employee whose principal duty is watching or guarding the premises and property of his employer.

ARTICLE III

EFFECTIVE DATE

The effective date of this Code shall be the second Monday after its approval by the President of the United States.

ARTICLE IV

GENERAL LABOR PROVISIONS

Section 1. Collective Bargaining.

(a) Employees shall have the right to organize and bargain collectively through representatives of their own choosing, and shall be free from the interference, restraint, or coercion of employers of labor, or their agents, in the designation of such representatives or in self-organization or in other concerted activities for the purpose of collective bargaining or other mutual aid or protection.

(b) No employee and no one seeking employment shall be required as a condition of employment to join any company union or to refrain from joining, organizing, or assisting a labor organization of his own choosing.

(c) Employers shall comply with the maximum hours of labor, minimum rates of pay, and other conditions of employment approved or prescribed by the President.

Section 2 Child Labor

On and after the effective date of this Code, no person under the age of sixteen (16) years shall be employed. No person under eighteen (18) years of age shall be employed at operations or occupations which are hazardous in nature or dangerous to health. The Code Authority shall submit to the Administrator before February 1, 1934, a list of such operations or occupations.

It is provided, however, that where a State law prescribes a higher minimum age, no person below the age specified by such State law shall be employed within such State.

Section 3. Classification of Employees.

No employer shall reclassify employees or duties of occupations performed or engage in any other subterfuge for the purpose of defeating the purposes or provisions of the Act or of this Code.

Section 4. Posting.

All employers shall post complete copies of this Code in conspicuous places accessible to all employees and shall post the address of the Divisional Code Authority.

Section 5. State Laws.

No provision of this Code shall supersede any State or Federal law which imposed on employers more stringent requirements as to age of employees, wages, hours of work, or conditions of employment than are imposed by this Code.

ARTICLE III

HOURS OF LABOR

Section 1. No employee shall work or be permitted to work in excess of eight (8) hours per day and forty-eight (48) hours per week, except in cases of emergency which threaten serious loss through spoilage, fire and/or railroad embargoes.

Section 2. The provisions of Section 1 shall not apply to the following:

- (a) Employees working on emergency maintenance or repair work.
- (b) Executives, managers, superintendents, outside feed buyers, power plant operators, repair men when

engaged in emergency work, watchmen, or others who regularly receive not less than thirty-five (\$35) dollars per week.

Section 3. Overtime. All work performed in excess of eight (8) hours in any day, so far as allowed in Section one (1) and two (2) above, and for all Sunday work shall be paid for at the rate of time and one-third.

Section 4. Reports shall be made monthly to the Code Authority stating the number of hours worked in excess of the maximum for which overtime, as herein provided for, has been paid.

ARTICLE IV

WAGES

Section 1. In establishing rates of wages, the area served by the Cottonseed Crushing Industry shall be divided into the following zones:

Zone 1: Virginia, North Carolina, South Carolina,
Georgia, Alabama, Florida.

Zone 2: Kentucky, Illinois, Tennessee, Mississippi,
Louisiana, Arkansas, Missouri.

Zone 3: Oklahoma, Texas, New Mexico.

Zone 4: Arizona, California.

No employee shall be paid less than the following rates in the zones herein established:

Zone 1: 20 cents per hour

Zone 2: 22 cents per hour

Zone 3: 25 cents per hour

Zone 4: 30 cents per hour

The foregoing rates shall be minimum rates of wages, with the following exceptions: in two-press mills or in three-press mills, located in small towns of less than five thousand population, according to the census of 1930, no employee shall be paid less than seventeen (17) cents per hour, in all of the states in Zone 1, and in Louisiana and Mississippi, in Zone 2.

Section 2. It shall be specifically understood that the wages of labor herein approved shall remain in effect until revised upward and that wages shall be subject to revision upward after the season of 1933-1934 because they are believed to be below a standard which it is hoped may prevail when the program of the Agricultural Adjustment Administration has been made effective.

Section 3. The weekly wages of all employees receiving more than the minimum wages specified in this article shall not be reduced below the rates existing during the season of 1931-1932 notwithstanding any reduction in the number of working hours of such employees. There shall be an adjustment upward of wages above the minimum to maintain such differentials in wages above the minimum as existed during the season of 1931-1932.

Section 4. This article establishes a minimum rate of pay which shall apply irrespective of whether an employee is compensated on a time rate, piece work, or other basis.

Section 5. Female employees performing substantially the same work as male employees shall receive the same rate of pay as male employees.

ARTICLE V

ADMINISTRATION

Section 1. Code Authority for the Industry. To further effectuate the policies of the Act, a Code Authority shall be established. The Code Authority shall be truly representative of the entire industry, and shall give adequate representation to minorities and shall be subject to the approval of the Administrator. The Code Authority shall cooperate with the Administrator in the administration of this Code.

- (a) The Code Authority shall consist of five (5) members and shall be selected by the industry within twenty (20) days after the effective date of this Code.
- (b) The Administrator may appoint a representative or representatives who may participate without vote in all activities of the Code Authority.
- (c) Each association directly or indirectly participating in the selection of or activities of the Code Authority shall submit to the Administrator true copies of its Articles of Association, By-laws, regulations and any

amendments when made thereto, together with such other information as to membership, organization, and activities as the Administrator may deem necessary to effectuate the purposes of the Act.

- (d) In order that the Code Authority shall at all times be truly representative of the industry and in other respects comply with the provisions of the Act, the Administrator may call such hearings as he may deem proper and thereafter, if he shall find that the Code Authority is not truly representative or does not in other respects comply with the provisions of the Act, may require an appropriate modification in the method of selection of the Code Authority.
- (e) The Code Authority shall serve until a successor body shall have been set up and approved by the President to assist in the joint administration of this Code of Labor Provisions and such other Code of Fair Competition as may be approved subsequently for this industry by the President.

Section 2. General Powers. The Code Authority shall represent this industry in the administration of this Code, and shall have, in addition to the specific powers herein conferred all general powers necessary to assist the Administrator or his Deputy in such administration. The Code Authority shall have the following duties and powers to the extent permitted by the Act, subject to the right of the Administrator on review to approve or modify any action taken by the Code Authority:

(a) Reports and Investigations. To collect from employers in this industry such reports as are necessary to effectuate the purposes of this Code and to carry out the administration thereof and to make investigation, upon its own initiative or upon complaint of any person affected as to the functioning and observance of any provisions of the Code and to report the results of such investigation to the Administrator.

(b) Recommendations. The Code Authority may from time to time present to the Administrator recommendations based on conditions in this industry which will tend to effectuate the operation of and compliance with the provisions of this Code, and the policy of the National Industrial Recovery Act. Such recommendations shall, upon approval by the Administrator, become operative as part of this Code.

(c) Divisional Code Authorities. The Code Authority shall, subject to the approval of the Administrator, supervise the setting up of Divisional Code Authorities within each of the zones designated

for this industry in Article IV of this Code for the purpose of assisting in the administration of this Code within the States. The Code Authority, subject to the approval of the Administrator, shall determine the number of Divisional Code Authorities necessary for proper administration of this Code within said zones or State or local areas, but in no event shall there be fewer Divisional Code Authorities than there are zones established for this industry. A Divisional Code Authority shall be representative of all producers or employers within the area for which it is established. The Administrator may appoint a representative, without vote, to each Divisional Code Authority.

Section 3. Expenses. The expenses of the administration of this Code shall be borne by members of the industry upon such basis as is approved by the Administrator. The Code Authority is empowered to devise the basis for pro-rating expenses and to collect them.

Section 4. Interpretations. The Administrator may from time to time, after consultation with the Code Authority, issue such administrative interpretations of the various provisions of this Code as are necessary to effectuate its purposes and such interpretations shall become operative as part of this Code.

Section 5. Jurisdiction. The determination and administration of all Labor Provisions for this industry are under the jurisdiction of the National Recovery Administration.

ARTICLE VI

GENERAL

Section 1. Membership in any Association. Membership in any association or group in this industry shall be open to all members of the industry on an equal basis and said associations or groups shall not impose iniquitable restrictions upon admission to membership therein.

Section 2. Monopolies. The provisions of this Code shall not be interpreted or applied in any way that will promote monopolies or monopolistic practices or so as to eliminate or oppress small enterprises or to discriminate against them.

Section 3. Modification. This Code and all provisions thereof are expressly made subject to the right of the President, in accordance with the provisions of Section 10 (b) of Title I

of the National Industrial Recovery Act, from time to time to cancel or modify any order, approval, license, rule or regulation issued under Title I of said Act.

Provisions of this Code, except as to provisions required by the Act, may be modified on the basis of experience or changes in circumstances. Such modifications are to be based upon such requirements as to application, notice and public hearing as the Administrator shall specify and will become effective upon approval of the President.

Section 4. Statistical Information. In addition to the information required to be submitted to the Code Authority there shall be furnished to government agencies such statistical information as the Administrator may deem necessary for the purposes recited in Section 3(a) of the Act.

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